

Naples City Council

March 13, 2014

Minutes

The regularly scheduled meeting of the Naples City Council was held March 13, 2014, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

DATE, TIME & PLACE OF MEETING

Council members attending were Dean Baker, Robert Hall, Dennis Long, Dan Olsen and Kenneth Reynolds. Gordon Kitchen arrived late.

COUNCIL MEMBERS ATTENDING

Others attending were Larry Pilling, Winnie Pilling, Neil Cathey, Niko Bateman, Wade Olsen, Ronda Olsen, Lisa Wiswell, Jolene Baker, Kellie Mann, Amanda Ortiz, Liberty Best, Jim Harper, Chris Hoem, Mark Watkins, Andrew Cox, Valeen Horrocks, Garrett Whatcott, Ben Fishler, Nate Simper, Craig Blunt and Nikki Kay.

OTHERS ATTENDING

At 7:30 p.m. Mayor Dean Baker welcomed everyone and called the meeting to order. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Kenneth Reynolds offered the invocation.

OPENING CEREMONY

Nikki Kay administered the Oath of Office to newly hired police officer Jason Bateman. Officer Bateman was then pinned with his new badge by his son Jayden Bateman. Chief Watkins also took this opportunity to recognize his newly promoted officers. Officer Valeen Horrocks was promoted to the rank of Sergeant and Officer Garrett Whatcott was promoted to the rank of Corporal.

S W E A R I N G I N CEREMONY OF NEW OFFICER

Mayor Baker asked for approval of the agenda. Dan Olsen **moved** to approve the agenda as presented. Robert Hall **seconded** the motion. The motion passed with all in attendance voting aye.

AGENDA APPROVED

Mayor Baker asked for approval of the minutes of the February 27, 2014 regular City Council meeting. Kenneth Reynolds **moved** to approve the minutes. Dennis Long **seconded** the motion. The motion passed with all in attendance voting aye.

MINUTES APPROVED

Mayor Baker asked if anyone had anything from the previous meeting to follow up on. Nothing was brought forward.

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Nikki Kay presented the bills for payment approval. The amount presented to the Council was \$81,136.82 and Nikki asked for an additional amount of \$1,075 to pay the members of the Planning Commission, she failed to have those amounts entered before the information went to the Council. Dennis Long **moved** to approve payment of the bills with the additional amount for a total of \$82,211.82. Dan Olsen **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

APPROVAL OF THE BILLS

Craig Blunt presented the Mayor and Council with the information received on the installation of the Freenote Harmony instruments at the park. Craig reported that six bids were picked up but only one was returned. The bid was from B Hansen Construction in the amount of \$34,210. Craig said they sat down and tried to come up with an estimate for the project and using the worst case scenario they came up with a total of \$26,764 which is about \$7,000 less than the bid received. Craig said the Council could consider going with plain concrete or plain concrete with just a stamp instead of the decorative concrete and might be able to save money that way. Councilman Olsen asked about the colors for the concrete and Craig explained how that works. Craig stated there would be thirty-one posts to attach the instruments to. He also explained to those in attendance where the instruments would be placed at the park. Councilman Long questioned if the amount would be in the budget. Mayor Baker said it would. Councilman Olsen said he would prefer to do it and make it look good. Dennis Long **moved** to approve the bid of \$34,201. Dan Olsen **seconded** the motion. Craig Blunt asked if the Council would make this conditional upon making sure this contractor has the ability to do this type of work because it is so specialized. Councilman Long agreed to make that a part of the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye

BID OPENING AND AWARD OF BID FOR INSTALLATION OF PARK MUSICAL INSTRUMENTS

Craig Blunt explained that one bid was picked up for the removal of the manufactured homes on the old Head Start property. Craig said no bids were returned. Craig believed the person who picked up the one bid was still interested but he was hesitant about bidding on the project because of the requirement for proper signs and equipment to move the homes. Craig stated he would like to bid the project again as a salvage project and to advertise in the Basin Nickel Ads to see if there would be more interest. He also said if they don't receive any bids after this one they can work with or contact whoever they would like. Dennis Long **moved** to rebid the project as either a purchase or salvage project. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

***BID OPENING AND
AWARD OF BID FOR
REMOVAL OF HOMES ON
OLD HEAD START
PROPERTY***

Craig Blunt gave Council members information on three types of lights they could consider for 1900 South. Craig needed the type of light so he could complete the application for the Community Impact Board. Mayor Baker asked Craig if this project was moving forward. Craig said it still can. Craig said the different types of lights could do different things. He said they could determine how the light displays on the road and also the aesthetics of the fixtures. Craig pointed out the different types of light heads and stated they were all LED's. Councilman Reynolds asked what type of light was in The Farm subdivision. Craig said it would be similar to the Cobra light shown. Mayor Baker stated he went up and down 1900 South and contacted every individual household and there were some in attendance at the meeting. Mayor Baker said he was concerned that they were moving forward with this project without the people on 1900 South having a chance to say if they are for it or against it. Mayor Baker said some of those in attendance at the meeting live on 1900 South. Craig wanted them to remember that the lighting would be for safety because often times they have a number of people at the park. Mayor Baker said he knows that the Council wants to move forward with this but he said he did some research and found a study done in Chicago Illinois about lighting and the study said there is better security with fewer lights. He also found one of the school districts in Salt Lake that was concerned about the amount of money being spent to light up their schools and in the course of their study found something that stated crime goes up when there are more lights so they turned off the lights around their schools. (Councilman Kitchen arrived at this time) Craig stated with

***PROPOSAL FOR TYPES OF
LIGHTING ON 1900
SOUTH***

any lighting like they are proposing the purpose is to give drivers better peripheral vision so they can see what is coming out from the side. Mayor Baker wanted to know how many lights they were proposing. Craig said it would be nine on both sides for a total of eighteen lights. Mayor Baker said at one time they discussed having the lights shine over onto the park. Craig said that is why he showed the different style of lights, some shine just out onto the road like the highway and some can be turned back to light behind the pole. Councilman Hall wondered if the idea was to have it on both sides of the street. Craig said they can choose to do it either way. They can do one side or they can alternate down both sides of the street. Mayor Baker wanted to know if this would be like the lighting up by the college. Craig said no that is too extreme. Mayor Baker said it might be a little less but they will still have a pretty lit up neighborhood. Craig said one of the options is to go with the subdued lighting similar to the highway. Craig said the lights can be designed so nothing goes to the rear but only onto the road itself. A member of the audience asked if she could speak. Mayor Baker stated she could. The person stated they didn't want big high lights up and down the street they wanted something that looked nice. Councilman Hall said that isn't what they were considering. Another person in attendance (Wade Montgomery) stated they didn't want any lights on that street. Nikki Kay asked the Mayor, if he was going to open this up for public comment, if he could get the people to state their names for the record. The first person to make a comment identified herself as Winifred Pilling and she stated she was a home owner on 1900 South. The second identified himself as Wade Montgomery. Heath Lemon stated he doesn't want any more lighting and thinks there is plenty there already. He said he comes home late at night and thinks there is plenty there. Ms. Pilling wondered where it was, she said there isn't any on the weekends, they come down that road on a Friday and there are no lights, it is blacker than heck. Mayor Baker said it was on the agenda to discuss the type of lights and he wanted to know if it was the consensus of the Council that they were moving forward with this. Craig said for the application he just needs a style of light because they range in price. Mayor Baker said he had Mr. Wade Olsen at the last meeting say he wanted them to wrap the block with lights, is that what they were thinking. Councilman Olsen said you couldn't sell that to the CIB for 2000 South because it's not a safety issue, there is no park and no school. Mayor Baker asked Councilman Olsen if that was because he didn't want it in his bedroom window.

Councilman Olsen said he already has one by him. Councilman Olsen said they are concerned about the safety of kids coming off the park and the adults at night. Mayor Baker said it is lit up at night because they have the lighting from the ball diamonds. Mayor Baker said you also have the lights from the school when school is in session. Mayor Baker recognized Jolene Baker. Ms. Baker said it is light outside at 8:00 p.m. and if kids aren't home by eight o'clock they need to be and if they aren't they need to be with their parents. Ms. Baker said the only time it's dark is in the winter hours and it's too cold to be outside without your parents. Councilman Kitchen said that 2500 South is a very well traveled road and said the lights down there are not intrusive and are directional. Councilman Kitchen said he turned off his lights as he drove down it to see how intrusive the lights were into people's yards. He said there was only a circle of light about five or ten feet. Craig stated the lights on 1900 South would be spaced about as far apart as they are on 2500 South. Mr. Pilling said to have lights on the north side of 1900 South would benefit the park as well as the street. He didn't know if they needed them down the south side but he was concerned about the women that walk alone at the park and said there haven't been any mishaps so far and he hopes it stays that way. Neil Cathey stated he wished to make a comment as a resident and not as an employee of the Recreation District. He said he lives about a half mile from the park and he thought this should just be a start to the street lights. He stated he would like to see everywhere within walking distance where the children are forced to walk to the school in the morning be lit. He said it is dark when he goes to work in the morning and you can't see the kids waiting for the bus. Mr. Cathey pointed out that the State of Utah was going to vote on doing away with daylight-saving time. Mr. Cathey said if they do that it will be dark all winter long when kids are walking to school and it's not safe. Mr. Cathey said the other option would be to put a sidewalk down 2000 East. Councilman Long asked Craig which would be the least invasive. Craig said it would be the Cobra lights but they are not very aesthetic. Councilman Reynolds said he talked to Mr. Stevens that lives on the highway and has one of the lights in his yard and he said it hasn't been that bad. Mayor Baker said he talked to him also and feels the trees and the awning help block the light. Mayor Baker said if they were talking about safety they might as well go down 2000 South and 2000 East. Councilman Olsen said that would be fine. Ms. Baker said they should concentrate on covering the canal on 2500 South first. Mayor Baker asked Craig what he

needed. He said he needs the style. Councilman Hall wanted to know what his recommendation was. Craig said he has always gone more for the aesthetics and he would go with the Washington head and the next choice would be the Cobra. Craig said you can adjust any of them to have the light go toward the rear and the front and then when you get closer to the homes you can turn them down. Mayor Baker wanted to know how far down they would go on the park side with the lights going to the front and back. Craig said you would adjust the candle measurements to not illuminate. Councilman Olsen asked about putting lights just on the north side. Craig said you could do that but you would have to have taller poles in order to illuminate the road on the north for the peripheral vision. Mayor Baker said, as it is now, he has to pull down blinds and put up foam boards to be able to sleep. Councilman Olsen wanted to know if it would be like the one currently at the splash park. Craig said they would have to change it if they only put the lights on the north side. Craig said if they go with the one similar to the light already there and alternate down both sides of the road they would be able to adjust the lights near the homes. Mayor Baker wanted to know if they could get the company over by 1700 South to turn down their lights because he gets a shadow on his property at night. Craig said he could see if that could fall under the nuisance ordinance. Councilman Kitchen said if you do that you'd also have to deal with Halliburton and everyone else. Councilman Reynolds said he likes the ones that shine down on the street. Councilman Olsen said they would be less intrusive. Mr. Wade Olsen wanted to know if they were still taking about wrapping the entire block. Councilman Olsen said no. Ronda Olsen wanted to know if they were going down 1900 South to the corner of 2000 East. Mayor Baker said they would have to stop at the corner of the park because the land owner on the north side of the street was not going to allow lights to be put up. Wade Olsen wanted to know about the easement the City should have. Craig said they don't have one for the piece of ground. Mayor Baker said they don't have one for right there, he actually owns out into the sidewalk on that corner. Ronda Olsen asked Craig to explain easements to her because she thought there had to be easements where power lines go through and where water lines goes through. Craig said that was true and there are also street easements. Craig said, on this road (1900 South), when it was done they did not take into account on the north side future (inaudible) (Mayor Baker talking) Mayor Baker said they crowded the street because of the drainage that used to be there. Ms Olsen said as you go

through the City there are bounces on easements that you can see. She said you see some fences that go clear to the sidewalk and there are some that are back from the sidewalk four feet until you get to the last house on the street and it's right against the sidewalk. Ms. Olsen said the lack of proper easements has interfered with snow removal and now there is no where to put snow because fences have been built right along the sidewalk. Craig said there is a problem on the east end of 1900 South but that was how it was approved and recorded. Craig said roads like 2000 East have the sixty-six-foot right-of-way with three feet on both sides of the section line. He said over the years residents have encroached on that and it will take a community effort for that one to be resolved. Councilman Kitchen wanted to know if they just want to go on the north side of the street. Councilman Kitchen said you would have a blank spot where the school is and you would only have the small stretch where the Head Start property is before you would start into the subdivision. Councilman Kitchen said if you just do the north side to light the road and a little bit into the park would that be good. He wanted to know how much they wanted to light up the south side. Heath Lemon said he doesn't want it lit up at all, he thinks there is enough and he likes to sleep at night. Councilman Olsen said you would still have the problem with the parking on the school side not being illuminated. Councilman Olsen recommended going down both sides until you get to the Baker property and then just go on the south side. Dennis Long **moved** to approve the Mongoose (Cobra) light style. Kenneth Reynolds **seconded** the motion. Before a vote was made Mayor Baker recognized Lisa Wiswell who asked where the lights would be placed on 1900 South by the houses, would they be in the yard or on the sidewalk. Craig said they would be right back of sidewalk. Craig said the base is 20 inches in diameter and the foundation would be 22 inches in diameter. He said they would go behind the sidewalk and would be in some peoples grass. Ms. Olsen wanted to know if that would be in the easement. Nancy Olsen stated they have an easement in their front yard and had to plant their trees behind the easement. Ms. Wiswell wanted to know how she could find out what the easement is for her property. Craig said he could show her. Mayor Baker called for a vote at this time. The motion passed with all voting in favor. Mayor Baker wanted it known for the record that he was opposed to this.

Chris Hoem came before the Council to present the final concept drawing for the new QED building located at 1000

***FINAL APPROVAL FOR
THE QED BUILDING***

South 1325 East. Chris said the plan was reviewed by the Planning Commission and the only item brought forward was the irrigation lines need to be noted on the plat. Chris said that has now been included. Mayor Baker wanted to know if the irrigation was set with an easement. Chris said it is. Chris said they have met all the requirements of the Planning Commission and he recommended it for approval. Chris said the architect of this building was the same as the one for the Codale building. Dan Olsen **moved** to approve the final plat for QED. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Jim Harper came before the Council to ask approval for an expenditure they had on replacing the keypad at the shop. Jim said when they made the change from the double door to a single door the keypad was damaged during construction. Councilman Hall wanted to know if someone from the road department damaged it or if the installer damaged it. Jim said according to the installer it was someone from the road department. Councilman Olsen wanted to know if it has already been replaced. Jim said it has been. Mayor Baker said he received a call from Aaron (Ashley Lock & Security) and he met with him and with Jim to look it over. Mayor Baker reported that Aaron said he installed the keypad and it was working when he left then the road crew sealed the door with some foam spray and they believe the spray foam may have shorted the wires. Mayor Baker said Aaron went back in and pulled the wires but couldn't get the old keypad to function so he installed a new one. Councilman Hall said it's already been installed so he **moved** to approve the expenditure. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Councilman Olsen wanted to know if they needed to add anything to a future council agenda to take action on replacing the light pole that was damaged by the Steven's home. Craig said the City has not taken possession of the project and it is still under the contractor and he has given that to their insurance company to deal with.

***APPROVE EXPENDITURE
FOR DOOR KEYPAD AT
THE SHOP***

***OTHER MATTERS OR
FUTURE COUNCIL
MATTERS***

Dan Olsen **moved** to adjourn the meeting. At this point Ronda Olsen asked the Mayor to explain about the community center or community building the Council was considering. She said she was not opposed to it but didn't feel like there was a lot of room where the old Head Start buildings were. She thought a community center there would create a parking problem. Ms. Olsen asked if people would be parking across the street or if there would be parking next to the building. She said when she looks at it there wouldn't be more than fifty feet from the building to the back yard of people's homes. Ms. Olsen said there is not a lot of space there and wanted to know what type of building they would be putting in and what the purpose of the building would be. Mayor Baker said they don't have any of that decided at this point and it's just been in discussion. Mayor Baker said that if she wanted to stay after Craig could answer some of those questions. Ms. Olsen wanted to know if that property had been offered to the property owners along there to purchase in order to increase their yard size because they have really small yards. Mayor Baker said no and the property owners chose to buy those houses on those small lots. Ms. Olsen said that was true but when they bought the lots the Head Start had the property and now the City is changing the function of what is going to happen behind them. Mayor Baker said if Ms. Olsen wanted to discuss this at another time she could call in and have it put on the agenda and they can discuss it. Mayor Baker said he had a motion to adjourn. Dennis Long **seconded** the motion. The meeting was adjourned by all voting in favor of the motion.

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 27th DAY OF MARCH 2014

BY: _____

ATTEST: _____